

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 17-965 JB

KIRBY CLEVELAND,

Defendant.

ORDER DENYING EMERGENCY MOTION FOR FURLOUGH

THIS MATTER having come before the Court on the Defendant's *Emergency Motion for Furlough to Attend Funeral Services* (Doc. 57). The Court finds that based upon the Defendant's criminal history including a violation of condition of release in prior case 1:12-cr-02062-MCA, the nature of the current charges, the evidence supporting the current charges including that introduced at the preliminary hearing, and the fact that the current allegation arose while the Defendant was on supervised release in the prior case, the motion is not well taken.

IT IS THEREFORE ORDERED that Defendant's *Emergency Motion for Furlough to Attend Funeral Services* is **DENIED**.



UNITED STATES MAGISTRATE JUDGE

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO
MAR 14 2018
MATTHEW J. DYKMAN
CLERK